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# TEAMSTER CONVOY DISPATCH

109

VOICE OF THE TEAMSTER RANK AND FILE SINCE 1975

Jan./Feb. 1989 #84

'Don't Worry, Be Happy' Labor Relations

## 'Cooperative' Unionism Undermines Our Solidarity

Corporations view "cooperation," "joint activities," the "team concept" and "quality of worklife" groups (QWLs or Quality Circles) as a means to the larger goal of bigger profits and greater control over the workforce. This style of labor relations emphasizes teamwork, breaks down the distinctions between workers and bosses, and offers the illusion that management is willing to offer workers input and control over their conditions at work.

This sounds very appealing at first. However, when implemented in the auto and steel industries, for example, it proved to break down the strength of the union, create competition and tension among workers, and be a tool to get more work out of fewer people.

The following parable is a model of what could happen in trucking, as well as other Teamster industries. While it

may be exaggerated, it is quite close to the conditions of workers in Japan, the home of this management style. We offer this as a warning in an attempt to get Teamsters thinking of how management may perceive the new labor relations.

their company. They compare notes on the ungrateful teammate and find they all have marked him down for a "bad attitude" and "poor cooperation" evaluation on their daily "teammate surveillance sheet." As punishment,

### A Devious Plan

- The corporations' main purpose in advocating "cooperation" is to channel unions into adopting "help-my-company-compete" as their primary strategy.
- The purpose is to weaken labor's strength by carving union members and the labor movement into competing "special interests."
- This corporate strategy has been employed in the auto and steel industries and is making its way into Teamster industries. (See story page 5.)

Imagine the terminal of the future: As you walk in for the day shift you see your "teammates" (there will be no such thing as workers and bosses) gathered to do their daily exercises off-the-clock while the tune, "Don't Worry, Be Happy" plays over the loudspeaker. Still off-the-clock, you and your teammates will plan ways of getting more work out of less people so you can effectively compete against the "team" down the street. Many teammates volunteer to paint the terminal bathrooms on their day off.

The walls of the drivers room are covered with posters of smiley faces proclaiming, "Have a Nice Day." Here your team is discussing how much more freight can be put on the rails or given to brokers, so the company can have a "bigger pie" to share with the remaining workforce. In discussion with your team, you learn that the opposing team down the street has taken a wage cut, which gives them an advantage. You all agree that to make your company number one, a bigger wage cut is needed for your team.

Your "facilitators" (remember, there will be no such thing as bosses) really want your input and ideas on how to be more productive to make more profits for your team. One teammate complains about working too much overtime. The rest are shocked that someone would complain about

he's required to park in the very rear of the parking lot.

The teammate with the bad attitude searches for a steward to file a grievance, but the steward is a "team leader" and won't accept the grievance. He then goes to the union hall to file a grievance and is told there is no such thing, all disputes are to be solved by a "conflict resolution circle." He attends the local union meeting on Sunday to complain. But no one is there. Everyone is busy painting their team bathrooms.

Profits are booming. The stockholders are happy with their dividends. The "major facilitators" are making six-figure salaries, and his teammates are happy because they have a job and a "quality worklife" offering them the opportunity for decision-making on their team. The union is irrelevant, a

continued on page 5

## TDU Files to Intervene in RICO Lawsuit

TDU filed a motion Jan. 17 in federal district court in New York to intervene in the U.S. Justice Department's racketeering lawsuit against the IBT leadership, for the purpose of "protecting the rights of innocent rank and file Teamster members." TDU is joined in the motion by the American Civil Liberties Union (ACLU), which last month endorsed the TDU position.

### Right to Vote, No Trusteeship

TDU is seeking to enter the case on the side of the Teamsters union in opposing any trusteeship over our union, but also calling for a government-supervised one-Teamster-one-vote election system to choose our International officers. TDU is arguing that if the government proves our International is racketeering influenced or controlled, the proper remedy is not outside trusteeship but rank and file democracy. TDU has called upon IBT President William McCarthy to endorse this approach and submit to an election, but he has refused.

The trial is scheduled to begin Feb. 27 in New York and is expected to go on for months. The government's attempt to combat corruption with a trusteeship is countered by IBT officials who claim there is no corruption at the top of our union. Only TDU is standing up for our union of 1.6 million hard-working men and women who have nothing to gain from corruption or trusteeship. We have everything to gain from the Right to Vote.



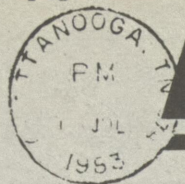
The 4,000 Teamsters of Watsonville, Calif., Local 912, including those who struck for 18 months to defeat union busting at Nor Cal Frozen Foods, elected TDUR Joe Fahey president. Brother Fahey narrowly defeated the incumbent. Secretary-Treasurer Sergio Lopez was unopposed. Contracts are upcoming with major food employers, who hopefully have learned a lesson about the price of union busting when they face determined and organized Teamster members. (See elections roundup, page 10.)

Teamsters for a Democratic Union  
P.O. Box 10128  
Detroit, Mich. 48210  
(313) 842-2600



This paper is paid for and distributed by concerned Teamsters. We invite you to do your part—join TDU (application on page 12) to help improve our union.





# From the Members

## What About American Freight?

I was employed with Smith's Transfer/American Freight for over 28 years. They closed the doors Aug. 15, 1988—10,269 employees on the street. *Convoy* never mentioned a word. How about it?

I'm 55 years old and will not get hired. Local 519 tells me I'll get \$1,000 per month if I retire now. I'm drawing unemployment at present. I'm a long-time TDU member and would love a comment.

**Earl Patterson**  
Local 519  
Knoxville, Tenn.

*Editor's note:* Other TDU members at Smith's/American have expressed their disappointment that nothing was mentioned about the closing, too. During the contract campaign, TDU proposed a clause in the NMFA requiring carriers to hire from a preferential list of Teamsters displaced at other companies. We've persistently called for stronger efforts to organize the unorganized companies. Brother Patterson reminds us of the human side of the bankruptcies, closings, ill-advised deregulation, union-busting and corporate greed that have cost thousands of Teamsters their jobs.

## Roadway Pressure To Short Log

We have a problem at Roadway Express in Shreveport, La., with the company indirectly putting pressure on the newer (lesser seniority) drivers to short log and run over the 70-hour week required by law. Roadway does this by relieving these drivers of duty and expecting them to log it on the top line at satellite terminals. The company shows positive reinforcement to those who do and negative reinforcement to those who don't by not allowing them to work an adequate number of tours.

**Billy Turnipseed**  
Local 568, Roadway  
Shreveport, La.

## Ready to Make a Stand at Signal

I am a member of Local 40 out of Marion, Ohio, and I'm tired of being pushed around by a large company! You say, "Well, quit and go somewhere else." I've tried that course and believe me, that doesn't work. I am tired of changing jobs and am ready to make a stand and fight.

A company that uses coercion as a tool to control its workers should be punished to the fullest extent of the law. ... We the laborers of America are allowing it to happen on a daily basis. Americans all over must unite

as one. Quit saying, "What is the union going to do for me?" Instead ask, "What am I doing to help my union?"

As long as we are willing to take the abuse, they will keep dishing it out. I'm sure our forefathers are turning over in their graves. They fought and died for the freedom we have. A lot of them went to jail to secure the rights we have and enjoy. Now we are allowing those rights to be taken from us and selling ourselves into slavery.

If we are so afraid of losing our jobs that we allow the company to kick us and threaten us, then we are no more than slaves and deserve no better treatment. There are laws to protect us from what the companies are trying to pull off and it's up to each of us to know these rights. So let's protect each other and ourselves from the mental and physical abuse a lot of companies are trying to dish out.

**R.A. Smith**  
Local 40, Signal Delivery  
Marion, Ohio

## Flight Attendants Like Majority Rule

Congratulations on changing the two-thirds rule on contract votes. This was a big win for all Teamsters, especially for Northwest Airline flight attendants. Now the IBT Airline Division will have to learn the



"Okay, boys, Stop the union talk and get back to work..."

word "negotiate" instead of "deal." Now Northwest Airline flight attendants might not get stuck with one of the worst contracts in the industry next to Continental. I will always support TDU. I've learned a lot!

**Guy Meek**  
Local 2747, NWA  
Denver



## Recruiter of the Month

The TDU Chapter in Local 512, Jacksonville, Fla., is one of the fastest growing chapters in the country. Not surprisingly, the top recruiter for TDU is business agent Eugene "Red" Lewis.

Brother Lewis vowed to give up any position with the union if the membership didn't give him a vote of confidence in the contested 1987 election. The membership voted him out of office, and he was immediately appointed as a BA by current Local 512 president, Frank Pendleton.

Red has been invaluable to TDU recruiting efforts by showing just how bad a bad BA can be. When members join in Jacksonville, they'll tell you, "Red made me do it."

Thanks a lot Red. Our condolences to Frank Pendleton, who came in a close second.

## How to Contact TDU Offices

We want to hear from you. Contact us at one of the locations listed below for more information about TDU, or to send us articles or letters concerning Teamster-related issues.

**TDU National Office:** P.O. Box 10128, Detroit, Mich., 48210. (313) 842-2600.

**TDU Washington Office:** 2000 P St., N.W., Room 612, Washington, D.C., 20036. (202) 785-3707.

**TDU N.Y./N.J. Office:** YWCA Building, Room 620, 30 Third Ave., Brooklyn, N.Y., 11217. (718) 834-0631.

**TDU Western-area Organizer:** Doug Allan, P.O. Box 7445, La Verne, Calif., 91750. (714) 593-9791.

## TDU Steering Committee

### Co-Chairs:

**Joe Day**, Worcester, Mass., Local 170  
**Diana Kilmury**, Vancouver, B.C., Local 213  
**Michael Ruscigno**, New York Local 138  
**Michael Savvoir**, Kansas City Local 41

### Organizer:

**Ken Paff**, Detroit

### Trustees:

**John Braxton**, Philadelphia Local 623  
**Dan Campbell**, Saginaw, Mich., Local 486  
**J. Anthony Smith**, Washington, D.C., Local 639

### Members:

**Scott Askey**, Barstow, Calif., Local 63  
**Sarah Bequette**, St. Louis Local 600 spouse  
**Sam Fenn**, Los Angeles Local 63  
**Barbara Mooney**, Phoenix Local 104  
**Luis Ortiz**, Phoenix Local 104  
**O.L. Pinson**, Shreveport, La., Local 568  
**William Stromatt**, Atlanta Local 728

### Alternates:

**Roy Ray**, Denver Local 961  
**Dana Beougher**, Tampa Local 79  
**George Beam**, Nashville Local 327

## Who We Are

*CONVOY DISPATCH* is the voice of Teamsters for a Democratic Union. We are the united rank and file movement to reform the Teamsters, created out of the merger of PROD and TDU.

We are truck drivers, dock workers, production workers—every kind of Teamster, and spouses, too.

We are a grassroots organization with chapters from coast to coast in the USA and Canada. We believe in returning this union to the membership and we are doing it. We are a democratic organization in which every member has a voice and vote. Our 15-member International Steering Committee was elected in October 1988 for one year. Our Rank & File Convention had 500 representatives present.

We are proud Teamsters standing up for our rights. TDU invites all Teamsters interested in defending our contracts and reforming our union to join us. We do reserve the right to exclude those who are opposed to TDU and its principles.

## Rank & File Bill of Rights

**I. DEMOCRATIC BY-LAWS.** All business agents and stewards should be elected. Vacancies in office should be filled by special election within three months. Local union committees should be elected. Contract and strike votes should be by majority (not two-thirds). All contracts should provide for elected officers retaining company seniority.

**II. DIRECT ELECTION OF OFFICERS.** General President and all International officers should be elected by the membership. International VPs elected by regions. An end to trusteeships and split-off locals.

**III. A FAIR GRIEVANCE PROCEDURE.** Innocent until proven guilty, right to remain on the job until final procedure completed. Grievance procedure should include right to a speedy trial, arbitration by peers, and the right to strike if necessary.

**IV. PRESERVATION OF WORKING CONDITIONS.** The union's purpose is to expand and preserve what we have, not trade it away for anything less. People come first, not productivity.

**V. SAFETY AND HEALTH.** We have the right to enter the workplace without fear for our health and leave in the same condition we arrive. Teamsters should have the right, backed up by our union, to refuse unsafe work or hazardous conditions. We are not machinery.

**VI. EIGHT-HOUR DAY AND FIVE-DAY WEEK.** Forced overtime and unfair dispatch rules destroy our family life and cost us jobs. No mandatory overtime, "flexible" work weeks, or 70-hour slavery. We are for the advent of the four-day work week. We work to live, not live to work!

**VII. A DECENT PENSION.** Every dollar in the pension funds belongs to us. We are entitled to 25-and-out, cost of living on pensions, and union pension trustees elected by the rank and file and retirees to safeguard our money.

**VIII. JUST SALARIES FOR OFFICERS.** A union officer can't understand the problems of members who make less than half what he makes. No officer should make more than the highest paid working members in his jurisdiction. No multiple salaries from union, company, or government sources, or special fringes and pensions. Salary increases limited to the average increase for membership, and subject to membership approval.

**IX. EQUALITY AMONG TEAMSTERS.** Bring all wage levels up to the highest standards, not a lot for the few and little for the many. Fight the hardest for the lowest paid.

**X. END TO DISCRIMINATION.** Employers have used the differences in age, race and sex to divide us for decades. We oppose these injustices and divisions. Support affirmative action to correct past injustices. Employers should bear the cost of their past discrimination, not the members.





# Washington Watch

## Court Blocks DOT's Random Drug Testing

The constitutional rights of interstate truck drivers and other transportation workers have been protected by a federal district court decision in San Francisco that stopped the DOT from implementing random and post-accident drug testing rules slated to go into effect in December 1989.

The new regulations were challenged in a suit by the Owner Operator and Independent Drivers Association. The regulations would have required motor carriers to conduct unannounced random tests each year equal to 50% of their employees. They would have required a urine sample from any driver involved in a reportable accident, regardless of who was responsible.

The court ruled that the government had not produced enough evidence of drug use among truck drivers to justify the random and post-accident testing, and that the rules were discriminatory for not requiring automobile drivers to submit to the same tests.

The court will allow the DOT to continue with its plans to implement pre-employment, periodic, and reasonable-cause drug testing of all interstate drivers. These testing procedures are similar to those already in effect under the NMFA. However, the DOT proce-

dures may be ruled unconstitutional later this year. The U.S. Supreme Court has heard arguments on drug testing in a separate case to be decided then. Depending on this ruling, the whole plan for drug testing may end up being stopped as well.

The IBT also filed suit to challenge portions of the DOT rules, along with other labor and civil rights groups. A *Washington Post* editorial objected to the DOT's regulations calling them "a staggering invasion of privacy," "intrusive," and "unconstitutional."

Fortunately, the Teamsters union has completely changed its stance on drug testing. R.V. Durham, IBT safety and health director, called the new testing regulations, "unfair, unreasonable and unworkable." Durham claimed the regulations were based on hysteria and not facts, and expressed concern that employers would use drug testing as a harassment tool against drivers.

Durham particularly objected to the lack of rehabilitation for drivers who test positive for drugs. He accused the government of ignoring the IBT's advice. Ironically, in the 1985-88 Master Freight Agreement, TDU had pointed out the lack of a rehabilitation program in the contract's drug guidelines, which

resulted in hundreds of discharges. The new NMFA requires rehabilitation, but this doesn't do much good for those drivers who found themselves blackballed in the industry because of the union's earlier failure to provide a rehab program. The new DOT rules recommend rehab, but don't require it from employers. TDU testified in favor of rehabilitation programs at public hearings last summer on the proposed

DOT regulations.

TDU shares the IBT's and DOT's concern for a drug-free work environment. However, along with the IBT, we disagree with the trampling of workers' rights that would result from random testing. We're proud that we've finally convinced our union of the dangers of certain types of testing and of the need for rehabilitation in any drug-testing program.

### Highest Teamsters Proved Corrupt

## Friedman Convicted in Ghost-Employee Racket

A federal jury in Cleveland unanimously convicted International Vice President Harold Friedman on four counts—labor racketeering, conspiracy to commit labor racketeering, embezzlement and filing false reports with the Department of Labor—in the Local 507 ghost-employee scam.

By law, he will now be stripped of his Teamster posts, which paid him \$537,435 from our dues in 1987, making him the highest paid union official in the world. (TDU leaders testified in Congress for that law, and IBT officials testified against it.)

Anthony J. Hughes, an International rep and the Cleveland local's recording secretary, was convicted of two counts of racketeering and one of embezzlement.

Friedman, who is also president of Local 507 and the Ohio Conference of Teamsters, faces a maximum sentence of 46 years in prison and fines totaling \$70,000 on the convictions; Hughes faces a maximum of 45 years and fines totaling \$50,000. A sentencing date had not been set by press time.

In a separate civil case, TDU members in Local 507 have filed suit to recover some \$2 million from Friedman and the estate of Jackie Presser. TDU attorney Paul Levy reports that the guilty verdict greatly aids the case, which has been delayed pending the outcome of the criminal trial.

Friedman sought to get off by blaming his deceased associate, Jackie Presser. Three "ghost employees"—George Argie, an associate of the late mafia boss James Licavoli; Allen Friedman, Presser's uncle; and John Nardi Jr., whose father was blown up in Presser's parking lot in a mafia murder—testified during the trial that they had received hundreds of thousands of dollars during the period, but did no work for the union.

Friedman's defense also tried to pin the scam on Presser's role as an FBI informant on Teamster officials. Friedman claimed he knew nothing of Presser's moonlighting with the FBI. Former FBI agent Robert Frederick was jailed for contempt during the trial for refusing to testify. Frederick earlier had told the FBI he helped Presser cook up a defense, but later recanted those statements. He stated he felt

Presser was so valuable in turning in other Teamster officials that the ghost-employee scam should be overlooked. He stated that the FBI encouraged Presser's rise to power as Teamster president.

Apparently, Friedman's attempt to dump all the blame on his deceased friend did not sway anyone on the jury. He had personally signed several hundred of the ghost-payment checks.

The whole story is a sad commentary on our union. Consider the known facts, affirmed in a three-month trial:

- The general president of the Teamsters union was an FBI informant and had government help in attaining power inside our union.

- Two corrupt men, Harold Friedman and Presser, rose to be the highest paid union officials in the world, all the while paying criminals and relatives ghost salaries.

- The good name of our union and the great cause of unionism has been dragged through the mud by those at the top of our union.

- Our International union leaders—all of them—have stood by for over a decade and done not one thing up to this minute, except rally around the corrupt leaders. Our local officials across the country closed their eyes to corruption and voted in Presser and Friedman at the 1986 IBT Convention in Las Vegas, cheering wildly for the corrupt millionaires.

The answer to this sorry situation is in the hands of those Teamster members who are committed to changing it. At the 1986 IBT Convention, TDUs were telling the truth, were working to bring integrity, democracy and pride to our union. And we will continue to do so. We invite all Teamsters to join us.

## Labor Secretary Files Suit To Back Election Order in Atlanta

Weldon and Lamar Mathis have added insult to injury to the members of Georgia Locals 728 and 928 by refusing to comply with a Department of Labor order for the reunification of the two locals and a new election. Secretary of Labor Ann McLaughlin was forced to file suit in federal district court in Atlanta on Dec. 28 to force the two locals to comply with the law of the land. Not only have the members had their right to a fair and free election stolen from them, they now have to pay the legal costs for the locals' law-breaking activities.

The DOL's lawsuit asks to declare last year's election null and void and to conduct an election under DOL supervision. It also asks that Local 928 be brought back into 728 as the appropriate membership for the election.

The DOL's complaint lists the violations of the various Local 728 officials who had their hands in the ballot box, verifying the charges brought by the Teamsters For Democracy Slate (TFD):

*Unofficial ballots, not printed for use in the election, were among the unused ballots retained by the local with its election records; original ballots that were printed for use in the election cannot be accounted for; all members who voted in the election were not accurately accounted for; ballots were cast by individuals not recorded as having voted in the election; members are recorded voting at two locations; and members recorded as having voted deny having voted in the election.*

What appears to have happened is that the local, with the compliance of its officers, printed unofficial ballots and destroyed the original ballots. They then marked ballots with names of people that didn't even vote.

There's more. The DOL also charges, "Seals that were used on the ballot boxes were not adequate to prevent access to the contents of the boxes." And, "An incumbent officer retained substantial control over the election, including the distribution of ballots, access to election materials and the tally of votes. No record was kept of the distribution or return of ballots. Observers were not allowed to effectively observe all phases of the election."

The TFD slate has filed suit to intervene in the DOL suit. With this intervention the slate will have access to and be able to monitor all legal proceedings, including any settlements. Hopefully, the entire DOL investigation and evidence then will be available to the membership in Atlanta so they'll know who was responsible for breaking the law.

It's incredible to think that local officials would stoop this low in cheating and deceiving the membership. It's even more incredible that the general secretary-treasurer of the International union, Weldon Mathis, who is in charge of all internal union election protests, is implicated. Members shouldn't have to foot these legal bills, but they can take consolation that they'll be able to vote the officers out once justice prevails in this suit.

### Hourly Pay Levels

(For production workers, in U.S. dollars)

|         | 1985    | 1986    | 1987    | 1988*   |
|---------|---------|---------|---------|---------|
| U.S.    | \$12.96 | \$13.19 | \$13.44 | \$13.62 |
| Japan   | 6.47    | 9.47    | 11.14   | 13.80   |
| West    |         |         |         |         |
| Germany | 9.56    | 13.35   | 16.87   | 20.19   |
| Italy   | 7.40    | 10.01   | 12.33   | 14.77   |
| France  | 7.52    | 10.27   | 12.42   | 14.03   |
| Britain | 6.19    | 7.50    | 8.96    | 11.06   |

\*Estimated Source: Bureau of Labor Statistics



## Cooperation Schemes Running Rampant

## Employers Plot to Bust National Agreement

It starts slowly. First the union allows separate agreements and Article 6 votes to companies that request them. Then companies begin demanding their own grievance procedures, special considerations to give them an edge over their "competition." Management starts whispering to workers, "You'll get a better deal if we negotiate on our own. It's us against them."

Some workers and union officials believe this. The next thing you know, it is "us against them," but not the union against management—Teamster against Teamster. The unity and purpose of a national agreement, for which the union struggled so hard, goes down the tubes. The employers' strategy of divide-and-conquer is victorious.

It doesn't have to be this way. Freight Teamsters can rely on each other and fight to save the Master Agreement. But the signs of its decline are everywhere.

## Yellow Freight

Yellow has taken the most aggressive stance toward busting the NMFA. With its withdrawal from Trucking Management Inc. (TMI), the company announced its intentions of withdrawing from the NMFA. Teamster President William McCarthy signed a memorandum of agreement Nov. 10 handing Yellow its very own grievance procedure. Yellow will no longer participate in the regular NMFA panels.

McCarthy's consent is puzzling. He concurs with the company's reasoning that since Yellow dropped out of TMI, it no longer belongs at the regular panels. Hogwash. Many non-TMI car-

riers, such as PIE, Transcon, ANR, and all the RCI and MCLAC carriers are required to go through the same grievance procedure. This sets a dangerous precedent. Will McCarthy now allow a special panel to any company that asks for one? Pity the business agent who has to hop from a Roadway panel one week to a PIE panel the next, a CF panel the next, and so on. Pity the members who will never see their BAs if this happens.

The other danger is that interpretations and precedents set in the NMFA procedure may not be followed, giving Yellow a substantially different contract.

The whole arrangement can be terminated by either party with a 60-day notice. Rank and file members and local officials who are concerned about the future of the NMFA should demand this at once.

## Consolidated Freightways

CF, which is in a regular habit of breaking the contract anyway, has tried a different approach to destroy the contract. It wants its workers to be partners and work together as a team.

In a recent survey sent to all employees, the company stated it is exploring "new and innovative approaches to improving our overall performance. One type of program under study, called gain sharing, enables employees to share in the financial gains that result from measurably improved performance. We would like your input."

A series of questions give CF workers a chance to provide "input." Notably missing, though, are questions

such as, "Do you think the Conway divisions should be unionized?" and, "Shouldn't we provide more jobs by ending the railing of freight and use of brokers?"

Gain sharing has been used to destroy annual wage increases and bring into union contracts wage packages that were developed in the non-union sector, particularly wages tied to productivity. CF workers should be wary of this union-busting scheme. It's interesting to note that the company is not offering a profit-sharing plan. If one were offered based on the plans in effect at PIE and Transcon, CF workers would get a check for over \$3,000 this year alone.

CF has tested the idea of quality circles, where union and management sit around a room and play patty cake while deciding how much harder the workers are going to work. If CF is serious about cooperating, wouldn't it be good to start by living up to the contract?

## ABF

ABF has established "Terminal Quality Improvement Teams" (T-QIT) whose purposes are "to insure the involvement of all people in the terminal; to provide a method of making decisions based on quality, cost and schedule; and to provide a vehicle that can remove the roadblocks to quality improvement."

Participation on the teams is mandatory. The union is not mentioned in the program.

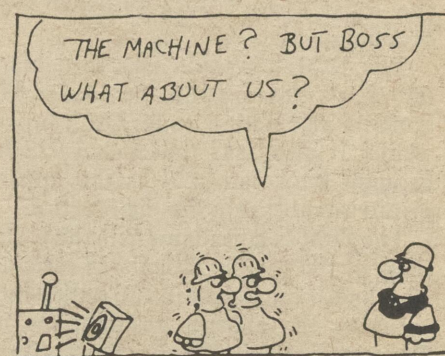
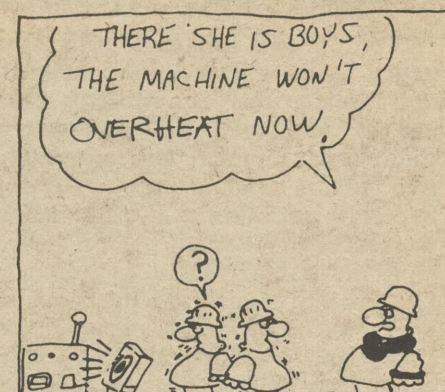
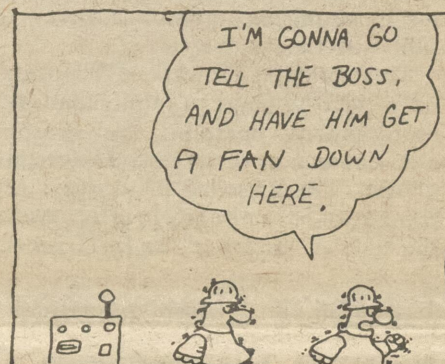
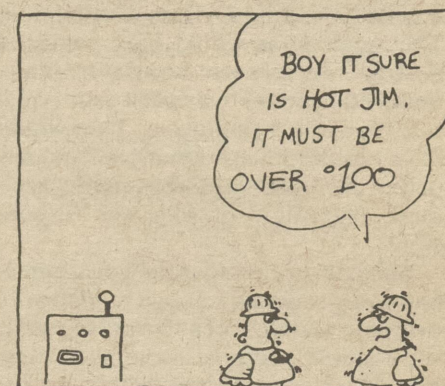
## PIE

PIE is another freight company

that's turning over a new leaf. It distributed a new employee relations policy that claims the foundation of the company is based on respect for the dignity of the individual and the rights of all employees to be treated fairly.

The company is seeking a slightly different grievance procedure, which effectively side-steps the union. In a letter to employees, Harold Doyle, PIE president, writes, "If you feel you are not treated fairly, talk it over with your

continued on page 5



## Preston's 'Degrading and Unwholesome' Lodging

## Drivers Sing Bunkroom Blues

"If we don't provide our people with human dignity, we shouldn't ask for support from the union."

—Preston Chairman Will Potter

Older freight hands might know about bunkrooms, but for the vast majority of the unionized freight industry, bunkrooms are a thing of the past. The following story is about conditions in these bunkrooms and how they're hurting the morale and productivity of Preston workers.

Richmond, Va. A musty, unpleasant odor permeates the room. It gets on the towels in the linen closet. The steam from the shower brings out the odor in the towel you use to dry yourself.

There is one community shower stall, two musty towels, no wash cloths, one commode, sink and urinal.

The only thing that separates the wash basin from the urinal is a partial partition. The partition is the only place to hang your towel when you shave or brush your teeth.

The temperature is controlled by a thermostat that is located at the top of the stairs, right inside the main door of the drivers room. This thermostat controls the temperature of the entire building. The temperature in the 9-by-12 rooms, therefore, goes to extremes: too hot in the winter and too cold in the

summer. Management's recommendation is to "crack a window."

The bunkroom, however, is located right next to the dock and at the bottom of the stairs leading to the main entrance. The accompanying noise can be heard inside the room even with the windows closed.

The drivers "lounge" consists of a couple of cheap pieces of plastic furniture and a TV with a rabbit-ear antenna.

The ceiling tiles are worn and dirty. The rugs and blankets are old and threadbare. It's a depressing and degrading place. It's unwholesome both mentally and physically.

On the positive side, Preston does bear the distinction of being one of "The Ten Best Companies in the U.S.A." and holds the "U.S. Senate Productivity Award."

Management is well aware of the situation. Several complaints have been officially made. However, management doesn't have to stay in the bunkrooms.

All people who work for Preston are supposed to be professional employees, they're all supposed to be "associates" and "teammates." The only logical solution would be to use the motel down the street until the company, if it insists on managing its

own facilities, can build suitable lodging.

The present conditions in the majority of the company-operated facilities (and even in some of the motels they use) certainly don't inspire professionalism. The dignity and the right to privacy for all drivers should be respected and be a part of any business plan.

Preston has invested a lot of time and money into the "Associate Campaign." Will the fact that Preston employees have the distinction of working for one of "The Ten Best Companies in the U.S.A." eliminate the odor of the Richmond bunkroom, or make the cold showers in Jersey City any warmer?

If Preston can go in and take an objective look at the conditions that exist in most bunkroom facilities, and then look its workers in the eye and tell them it respects them as equals, then we must doubt their sincerity.

Will Potter closed his speech to the National Trucking Industrial Relations Association by saying, "If you expect people to be thieves and bums, you'll get stolen blind. If you expect people to be dogs, you're going to get bitten."

For once he seems to be on the right track.



## Imaginary Partnerships Cut Unity

continued from page 1

dinosaur left over from the days when workers and bosses had little in common, when workers stuck together with each other because they had a common goal. That is all in the past because now, teammates have the privilege of being allowed to work for the team. Isn't cooperation wonderful?

This dream of the corporations and nightmare for unionists could be a reality in the near future. Freight Teamsters are seeing the first signs of "Don't Worry, Be Happy" labor relations, which could mark the beginning of the end of collective bargaining as we know it (see story page 4).

The purpose of all the cooperative schemes—quality circles, team concepts, gain sharing, profit sharing, associate plans, etc.—is to undermine the strength and purpose of our union. The corporations don't need to do outright union busting, though they try that, too. They just need to win over workers' minds by undermining our solidarity, by enticing us into imaginary partnerships. They blur the lines between workers and bosses by claiming to offer us a voice in management. They act as if we have the same goals.

### Old Idea, New Wrapper

This isn't a new idea. During the 1920s, American industrial barons encouraged "employee representation" and "constructive cooperation." Company unions were formed to give the workers "a voice." The idea didn't work then and millions of workers rebelled against the hypocritical scheme, joining real unions by the millions in the 30s and 40s.

This new era of cooperation is a cynical attempt by the corporations to play upon the desires of all of us who work for a living to use our intellect and creativity. It promises to transform us from mere dock hands or drivers into "associates" and "team members," if we'll only cooperate with management. But this so-called cooperation turns into competition with our union brothers and sisters. Everything is geared toward an increase in productivity, though productivity levels in the trucking industry are at historically high levels. Terminal is pitted against terminal, company against company, worker against worker.

The concept started in Japan and it is worthwhile to look at what has happened to unions there. A study conducted by the Japanese Labor Federation, Sohyo, found that few workers take their problems to the union anymore. Only 7% said they go to their stewards with a problem. The union movement in Japan is in retreat.

## Employers Busting NMFA

continued from page 4

supervisor. If you still aren't satisfied, ask for the time to speak to your supervisor's boss." It's refreshing that at least PIE recognizes there are bosses and workers. But we'll resolve disputes through our union.

PIE's final word: "The company has the right to a fair day's work. We solicit you to perform your assignments with professional pride, with due diligence, and with good humor." That's exactly what many PIE workers are doing after

Teamsters must come to grips with our future as a union. Do we want national contracts that strengthen and protect all, or do we want company by company agreements, each underbid-



"So long, partner!"

ding the next? Do we want solidarity, believing that an injury to one is an injury to all, or do we want disunity, believing we can get more if we only cooperate? Do we think unions of workers were created to gain wages, working conditions and dignity, or do we think the companies will really take care of us out of their social responsibility and cooperative spirit?

For Teamsters, the idea of working with the company can be seductive. Many Teamsters are dissatisfied with the union's performance and are skeptical that the union can be a strong and effective representative of their interests. Therefore, they welcome any idea that may offer a glimmer of hope for better working conditions. This is understandable. But it's dangerous.

TDU is dedicated to the idea of a strong union whose first responsibility is to its members. We're around to unite the membership to change the union into a strong and democratic organization. Our hope lies in our cooperation with each other to create a better union, not in relying on the corporations to watch out for our interests.

The new "Don't Worry, Be Happy" labor relations is nothing but a stale old idea in a new wrapper. Working people rejected it 50 years ago and will reject it again. The only thing new that we need is a new labor movement that believes in the old ideas of solidarity, unity, and the continuing fight for our rights as workers.

reading the new policy.

Many other cooperative schemes are in effect at other companies. Carolina and Preston have had them in effect for years. It would be great if the world were a place where everyone could live and work together in peace for the benefit of all. But history has shown that only through solidarity and unity have working people advanced their position. It was true in the past, and it's still true today.

## Freight Lines

### Is a Six-Hour Call Period in the Cards?

Apparently so, at least according to Tim Lynch, vice president of government relations for Roadway Services. With the recent .04% blood alcohol level restriction by the DOT, the union has the right to reopen the agreement and negotiate for an extended call period.

Lynch speculated in *Transport Topics* (Jan. 1) that the IBT will seek a negotiated or legislatively mandated six-hour call period. He noted that railroad engineers and airplane pilots already have a 12-hour call period and said, "engineers, pilots and truck drivers are now being lumped together—what's good for one ought to be good for the others because they're all in safety-sensitive positions, so they should be governed by pretty much the same set of rules."

### Yellow Freight: The Grinch Who Stole Christmas Eve.

Yellow Freight and PIE, along with Jack "Let's Make a Deal" Yager, wrecked many a Teamster's holiday by agreeing to move the contractually required Christmas Eve holiday for Central States Teamsters from Saturday the 24th to Monday the 26th.

Once the change in the contractual holiday was announced through a Central Conference memo to local unions, quick action was taken by TDU on behalf of several Teamsters affected and a lawsuit was filed in federal district court in Chicago requesting a temporary restraining order (TRO).

TDU attorneys argued that the Central States Supplement specifically states that Christmas Eve, Dec. 24, is observed as a holiday. They argued that it is a special time that workers value to spend with their families and enjoy the holiday season.

Yellow Freight attorneys argued that if Yellow were to follow the contract it would lose hundreds of thousands of dollars. The union argued that it didn't have to live up to the contract as written and could move the holidays without a vote of the membership.

The court ruled against the TRO, stating that the workers who had their Christmas Eve holiday plans ruined and their family lives upset were not as important as the money Yellow Freight would lose if it had to live up to the agreement it had signed just months ago.

We hope Yager and Yellow officials had a very merry Christmas Eve celebrating with their families and loved ones, while thousands of Teamsters who read their contracts and thought they could do the same with their families were humping freight on this most important of holidays.

### Merry Christmas: Preston Division Goes Non-Union.

Excerpts from a Dec. 23, 1988, letter from Almiron Robinson, a Teamster for 36 years, to President William McCarthy:

"In 1983 I hired on at Preston Trucking, Special Commodity Division (Frontier), which was union at the time. Over three years ago, Preston began to go non-union by making all the Frontier agents take in Pioneer, which was their non-union division. By Aug. 15, 1988, the dirty work was done and Preston closed the union division.

"The union did nothing about this. Then for the closing, a subcommittee was appointed and I am not very proud of the union men on it. They 'gave us' the chance to go over to the freight side as new employees and take a 15% cut.

"I relocated to Columbus, Ohio, and have been laid off since Dec. 4. The men that went to South Bend, Ind., are also laid off. It makes for a very Merry Christmas.

"I think we should receive 100% and also hold our seniority. I think our union should not let the carriers take our jobs non-union. I am writing this letter to you, Brother McCarthy, in hope that I can get an answer from you personally." (No answer received yet.)

### Has Anybody Seen a Contract Book?

It's been six months since the NMFA was "ratified," yet copies of the NMFA and supplements don't seem to be available to the membership. Maybe it's because the National Freight Committee is too embarrassed. However, most Freight Teamsters should feel lucky. Freight Teamsters under the Upstate New York Supplement are still waiting to get their contract books from the 1985 agreement.

### Is CF Loyal to Scabs?

Members in Local 414 employed at CF, after a successful strike over the mechanics contract, have brought internal union charges against the few members who crossed picket lines. One of the scabs claimed CF called and told him the strike was illegal and the company had proof. When the man who scabbed later contacted the company to request the proof so he could present it at the union hearing, management told him they were sorry but they couldn't get involved. Another scab crossed the picket line and worked for a few hours, after which CF told him he could go home. The company refused to pay his claim for an eight-hour guarantee. Is there a moral here?



**The health and safety of working men and women** have been primary goals of TDU organizing since our founding in 1976. TDU's Rank & File Bill of Rights asserts our strong belief: "We have the right to enter the workplace without fear for our health and leave in the same condition we arrive. Teamsters should have the right, backed up by our union, to refuse unsafe work or hazardous conditions. We are not machinery."

TDU is in the forefront of lobbying, providing expert testimony before Congress, filing lawsuits, and organizing on-the-job campaigns to protect workers. The sad fact is the workplaces and highways are not all safe for workers or the public. Recent studies and reports verify that there are serious gaps in the safety net of protections for workers' health and rights to refuse unsafe work. These reports must act as a catalyst for renewed efforts to achieve stronger legislation and enforcement. Following are updates on key areas: Whistleblower's protection, hours-of-service regulations, and the carcinogenic effects of diesel exhaust.

## NIOSH Report on Carcinogenic Effects of Diesel Exhaust

# Pressure Employers to Minimize Exposure

Diesel exhaust may cause cancer in workers who drive diesel-powered trucks or forklifts, or in other workers who are exposed. That is the warning of the U.S. Government's National Institute for Occupational Safety and Health (NIOSH). The NIOSH warning is found in its Current Intelligence Bulletin 50, titled "Carcinogenic Effects of Exposure to Diesel Exhaust," published in August 1988. (Copies are available for no cost by contacting Publications, NIOSH, 4676 Columbia Parkway, Cincinnati, Ohio 45226, or call (513) 533-8287.)

The warning was based on NIOSH's review of several new studies in which rats and mice exposed to diesel exhaust developed lung cancer. Also, a recently completed study of railroad workers looked at the causes of death among workers exposed to exhaust from diesel locomotives. It concluded that those railroad workers exposed to diesel exhaust died of lung cancer more often than fellow workers who were not exposed.

No study has yet examined the rates of cancer in truck drivers or warehouse workers, but NIOSH is currently investigating cancer rates in over-the-road drivers and results should be available in the near future.

In addition to the potential cancer-causing effects of diesel exhaust, many workers in warehouses and trucking terminals complain of its irritating effects. The most common complaints include burning eyes, nose and throat. According to some studies, diesel exhaust may also cause some temporary breathing problems after a worker has been exposed to the exhaust during an entire workday.

### What Compounds Are in Diesel Exhaust?

Diesel exhaust is a complex mixture of many gases and particles, including chemicals like carbon monoxide, benzene and formaldehyde. Amazingly, as many as 18,000 different substances from the combustion process can be found in the exhaust particles. The complexity of this material makes it difficult to determine which components could be causing cancer. However, between 15% and 65% of the soot produced by diesel engines is made up of a group of chemicals called polynuclear aromatic hydrocarbons or

PAHs, which are known to cause cancer.

### How Much Exposure Is Too Much?

The Occupational Safety and Health Administration (OSHA) has set exposure limits for many of the individual substances found in diesel exhaust. These regulations are limited, however, because they do not take into consideration the combined effects of exposure to all of these substances simultaneously.

Investigations have shown that diesel exhaust can be irritating even at levels many times below the limits set by OSHA or NIOSH. Therefore, some experts say the exposure limits for the individual components of diesel exhaust are not good measures of the dangers from whole diesel exhaust.

Many scientists believe that once a substance has been found to cause cancer, a worker's exposure should be controlled to the lowest level that is technologically feasible. This is because even at low levels of exposure, there is still some risk of developing cancer.

### What Can Be Done to Limit Exposure?

There are two major ways to control exposure to diesel exhaust: decrease the amount of exhaust produced and control exposure to it. Engines that are well-maintained, with well-functioning exhaust systems produce less dangerous exhaust. Several companies

are now actively researching new engineering methods to produce engines that both filter and control the exhaust.

There are a number of ways to control exposure to exhaust, both for drivers and terminal and warehouse workers. For drivers, vertical exhaust systems produce less exposure than horizontal exhaust systems. However, much of the exposure to over-the-road drivers comes from exhaust of other trucks on the road. Therefore, it is advisable to avoid exposure to road air. This can be accomplished primarily by using the heating or air conditioning system as much as possible, rather than driving with open windows.

Terminal and warehouse workers can control exposure by not allowing the forklifts to run when not in use. When several forklifts are available and only a few are in use, use the newer models in which the exhaust system is likely to function better. Terminals and warehouses should be equipped with ventilation systems, such as exhaust fans in the roof.

Basically, diesel engines should be phased out and replaced by safer engine systems. Exposure to diesel exhaust can be completely controlled by substituting diesel motors for other types, such as propane. Unfortunately, propane motors can also cause serious health problems. Malfunctioning propane engines can produce high levels of carbon monoxide, and, since it is a colorless and odorless gas, the worker may have no warning. If a

## Section 405

# Whistle Blow Enforce W

TDU prepared and won passage of Section 405 of the Surface Transportation and Assistance Act of 1983. This law protects drivers and other motor carrier industry employees from discrimination, discharge, or discipline by their employers for refusing to violate safety laws, rules, or regulations, or for engaging in other safety activities.

Despite important victories for

worker operates a forklift that is producing excess carbon monoxide and he works inside a closed trailer where there is limited fresh air, there is a real danger of being overcome by the gas.

### What Can You Do?

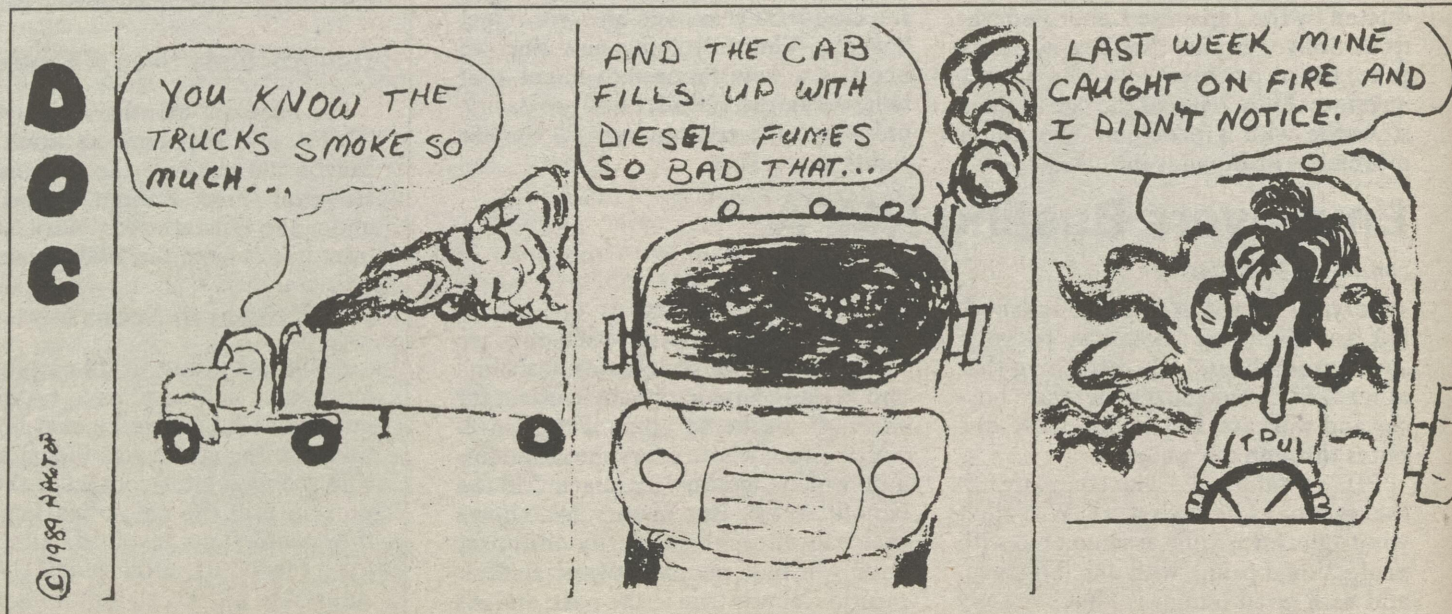
- Freight Teamsters should demand enforcement of Article 16, Section 6 of the Master Freight Agreement, regarding diesel-powered forklifts. This language requires companies to keep well-maintained forklifts and prohibits allowing unattended forklifts to idle in the terminal. If this is a problem at your terminal, file a grievance.

- Truck drivers, with union support, should insist that management properly maintain the trucks' exhaust systems and make sure the heating and air conditioning systems are working properly.

- Workers should form safety and health committees through their local unions to investigate and improve health and safety matters such as exposure to diesel exhaust.

- Workers and the union should pressure management to remove old equipment and replace it with new equipment that filters and controls the exhaust, and where appropriate with other motors that use safer fuels such as propane.

- Workers with questions concerning exposures can call NIOSH at 1-800-356-4674 for information.





# Blows on OSHA: Worker Protections

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Due in large part to TDU's efforts, the federal government has finally stood up and taken notice of the problem. Late last fall, the U.S. General Accounting Office (GAO) issued a 35-page report detailing OSHA's failure to effectively manage, administer, or enforce Section 405, or to cooperate with the DOT's Office of Motor Carrier Safety in the processing of Section 405 complaints. Highlights of the GAO report include the follow-

ing:  
• Although the law requires OSHA to investigate and issue findings within 60 days of the filing of a Section 405 complaint, OSHA fails to do so 56% of the time. This failure rate is especially high on the West Coast, as was noted in the February 1986 *Convoy Dispatch* article. Delays in processing complaints have lasted as long as three and a half years.

• OSHA has not taken steps to properly publicize the law so that more drivers can learn of its existence and how to use it effectively. (In fact, TDU seems to be the only entity that actively publicizes Section 405.)

• OSHA and the DOT's Bureau of

Volvo-White Tractors, Bobtailing with Dolly

## Reports on Unsafe Equipment

Several safety-conscious Teamsters from around the country have contacted TDU to voice complaints about unsafe equipment that poses hazards to drivers. The TDU Washington office is collecting statistics on accidents and injuries related to the following:

### Volvo-White Tractors

TDU member and Preston driver Jerry Bay of Springfield, Ill., broke his fingers and suffers from carpal tunnel syndrome as a result of severe kickback in the steering column of his Volvo-White tractor. Carpal tunnel syndrome is an alternately painful and numbing condition of the tendons in the arms and hands that must be surgically corrected.

Jerry reports that many other drivers at Preston, ABF and other carriers using the Volvo-White tractor suffer from the same condition.

"The steering column kicks back whenever you hit a hole in the road or drive over a bridge and snaps your fingers right off," Bay said.

Although Bay reports that the employer fixed his truck by installing heavier shocks, Preston has not con-

Motor Carrier Safety do not exchange data on Section 405 complaints filed by drivers. Because the BMCS has the power to issue fines and sanctions against employers who show a pattern of violating safety regulations, it would be logical for OSHA to communicate to BMCS the Section 405 cases found to have merit. BMCS could then conduct a more thorough investigation of the employer to determine whether that driver's complaint is a problem for other drivers as well.

Since the release of the GAO report, OSHA has promised to take steps to clean up its act. The agency plans to publish a worker's pamphlet on the law and set up a distribution system for literature so that more drivers will be made aware of their rights. It also plans to set up a formal communications system with BMCS so that the agencies can work together on safety complaints.

TDU will continue to monitor enforcement of Section 405. One of our goals for 1989 is to use this law to aggressively pursue drivers' complaints related to fatigue, babysitting the phone, running times and other widespread hours-of-service violations. (See related story on fatigue and hours of service.)

Any driver (or employee in the interstate trucking industry) who has been disciplined, discharged, or otherwise discriminated against because of his refusal to violate hours of service regulations, or for other safety activities, should contact the TDU Washington office for assistance.

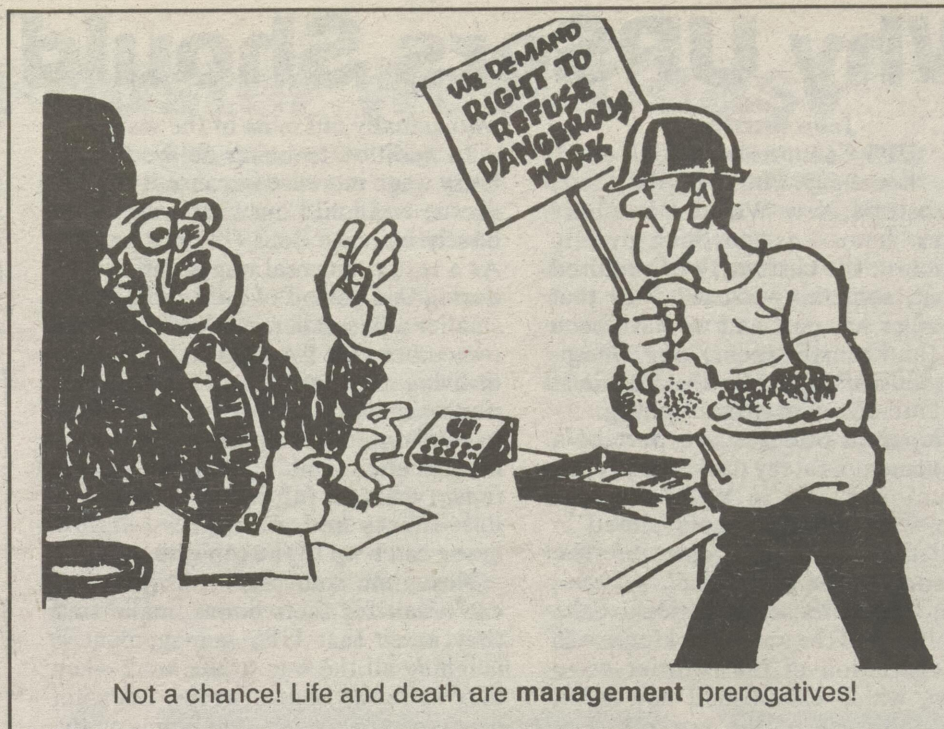
### Bobtailing with Dolly

An April 1986 grievance from Southern California CF drivers in Local 63 that protested an unsafe practice under Article 16 was deadlocked to the National Grievance Committee, otherwise known as the "Bermuda Triangle." It has since disappeared.

At issue is CF's practice, along with some other corporations, of directing drivers to bobtail with a converter dolly and no trailer. This very dangerous configuration leads to swerving and jack-rabbing when braking, and is especially dangerous in wet or slippery conditions.

If the grievance procedure won't resolve this dangerous practice, we must investigate alternatives.

Contact our TDU Washington office if you have any information or have been involved in an accident while pulling a dolly.



## Federal Report on Fatigue Concludes Need to Revise Hours Regs 'Compelling'

From its founding, TDU—and its predecessor, PROD—has fought for reform of the DOT hours-of-service regulations. These antiquated rules, in effect since 1937, deprive drivers of adequate time for rest and destroy their private lives by requiring them to

regulations lead to unreasonably fatigued drivers.

The DOT then commenced rule-making action to rewrite them in a sane manner. In 1981, however, the DOT dropped its plans to revise the rules, stating that the costs of changing the regulations outweighed the benefits of revising them. Three TDU members represented by attorney Arthur Fox sued to overturn the decision, but they lost in the U.S. Court of Appeals.

The issue has not gone away, however. TDU members and other drivers have kept it alive over the years, and now the Office of Technology Assessment (OTA) has issued a report reiterating the findings of the DOT studies.

The OTA report states that the irregular schedules kept by many drivers cause fatigue that leads to decreased alertness and reaction-time while driving. The report concludes that the need to revise the hours-of-service regulations is "compelling," and advises Congress to provide the DOT with the funds needed to complete its research and rewrite the regs.

Congressional hearings on the hours-of-service regulations are thus a real possibility in 1989. The TDU Washington office keeps a file on driver complaints related to fatigue, and plans to use these complaints to help lobby for changes in the regulations. Drivers experiencing problems with fatigue should contact the TDU Washington office to get your complaint logged in our files.



"The choice is up to you—health or wealth."

spend their "off-duty" time waiting by the phone for a call to come to work.

Sometimes drivers come off of rest and are ready to drive, but wait awake for 16 hours for a call, only to have the phone ring when they are ready to go back to bed. Drivers in this situation must either present a threat to their own safety and that of the public by reporting for duty when fatigued, or face losing their jobs by not showing up to drive.

The 24-hour clock of the trucking industry is not necessarily compatible with the biological clock of the human body. The DOT has been aware for some time of the inhumane operation of the hours-of-service regulations and the threat they pose to public safety.

In 1972, at the urging of PROD, the Bureau of Motor Carrier Safety undertook a study measuring the relationship between fatigue, safety and hours-of-service. The study concluded that most drivers are fatigued most of the time.

Instead of acting, DOT informed PROD that it needed to conduct "further research," and commissioned a second study, released in 1978. That study demonstrated even more conclusively that the hours-of-service

**TDU  
Washington  
Office:**

**(202) 785-3707**



# Why UPSers Should Dump the Lump

John Braxton  
UPS Committee of TDU  
Local 623, Philadelphia

Webster's New World Dictionary defines "bonus" as "anything given in addition to the customary or required amount; something extra." Now that December has past and we have been paid (and mostly spent) our "lump-sum bonuses," let's take a look again at what kind of a deal we are getting.

Lump-sum bonuses are part of a management strategy to eventually pay non-union wages in a union shop. These strategies are implemented in negotiations under the guise of "the new, cooperative unionism."

The first of these strategies to take the pain out of the union workforce was the negotiation of the two-tier wage system, which established non-union wages for some of the workers. The second stage of this assault on our real wages was the lump-sum bonus.

The \$1,000 for full-timers and \$500 for part-timers is not really a bonus at all—it's a delayed wage increase that does not add to the sum of our base wage. It's not something extra, but rather money we earned by our hard work. UPS has had the advantage of sitting on this money all year while it earns interest for UPS management and shareholders, instead of for those

who actually did most of the work.

In addition to being delayed, it's a lousy wage increase because it doesn't accrue and build our base wage as an hourly increase does (see bar graph). As a result, our real wages suffer even during this period of mild inflation. A smaller and smaller portion of UPSers remember that we used to get a cost-of-living raise twice each year in addition to an hourly raise. New hires used to catch up to the top rate of pay three months after seniority. Now it takes up to two years for full-timers to catch up. Part-timers and air express drivers never catch up to the top rate.

Next time somebody tells you they can't wait for their bonus, make sure they know that UPS management is laughing all the way to the bank when they write the bonus checks. Let's not be enticed by a lump-sum bonus on the next contract. Dump the lump.

## Editor's Note on 'Special Payments'

District managers throughout the country signed and enclosed with the bonus checks an enterprising and bloated form letter of thanks that was no doubt minted in the bowels of Greenwich. It gives the impression that the lump-sum bonus comes from the goodness of the company's heart, instead of our Teamster-negotiated con-

tract:

"As a result of our company's continued success during the last year, we are pleased to be able to present you with this special bonus check. It expresses our appreciation for the job you, as well as thousands of your co-workers, have done to maintain and

improve our service reputation. ...

"Your bonus check is enclosed. It is part of over \$100 million in special payments that have gone out to all eligible UPSers. ..."

Thanks, Jack, but we'll take 50 cents an hour and a real COLA any ole day. Wouldn't you?

## UPS and Downs

### Send Article 26 Violations to the National Committee.

One hundred Kansas City area feeder drivers met Jan. 14 in an attempt to force Local 41 officials to take action against the loss of feeder jobs to TOFC rail movement and the subsequent displacement of drivers protected by Article 26 of the Master Agreement. While volume was up approximately 10%, seasonal help was nonexistent as UPS found new and imaginative ways to use TOFC, cartage companies and brokers to subcontract our work.

In Kansas City, 20% of area feeder jobs have been eliminated since Christmas; in St. Louis, some 25% have been lost, Local 688 drivers report. Des Moines, Omaha, Oklahoma City, Denver and Orlando are also reported to have lost jobs.

Our local union officials seem at a loss for a strategy to deal with this ever-increasing contract violation. Granted, tracking the diversion of our work is complex, perhaps too complex for locals to sift out. So why don't we follow the contract: "Any claimed abuse of this Section by any of the Local Unions shall be subject to immediate review by the National Grievance Committee." Stay tuned for updates.

—Michael Savvoir, Local 41 feeder driver, UPS Committee of TDU

### Don't Mess with My Union Literature.

On-road supervisor Steve Gelfarb confiscated and destroyed my *Convoy Dispatch* on Jan. 6 because it was visible through the windshield of my package car and, he said, was "advertising" *Convoy* and the headline "Majority Rule Victory." I've always stored my belongings in front of my odometer panel, as have other drivers in San Diego. So on Jan. 9 when I showed Gelfarb a copy of the *Big Idea* in front of my odometer panel, he assured me that was OK because it represented UPS. I now have my *Convoy* and *International Teamster* in front of my odometer panel. I told my center manager, Dan Parsley, that if my personal reading material is removed again I will consider it a violation of protected activity and may file charges with the NLRB. Parsley said a new policy prohibiting drivers from keeping their personal property in the cab of the package car would be the solution. Can you imagine not being able to keep your Big Gulp cup next to your odometer panel next summer? Could it be that *Convoy Dispatch* has again become the target of discriminatory activity by UPS?

—Jim Moody, Local 542 package car driver, UPS Committee of TDU

### Unity on the Night Shift.

The past four years, after an appeal from management, preloaders in West Springfield, Mass., have agreed to shift their workweek from Monday through Friday to Sunday through Thursday during December. This year, however, the preloaders said they would not switch unless they were paid time and a half for Sunday nights. UPS said no and began to work on each preloader individually to change his mind. In a show of unity, the preloaders stuck together and UPS was forced to use smaller crews on Sunday nights at time and a half. Of course management retaliated. Warning letters are being issued, radios turned down or off, use of telephone lines no longer allowed. These and other petty annoyances are uniting the men even more.

—Jerry Gaimari, Local 404 preloader, UPS Committee of TDU

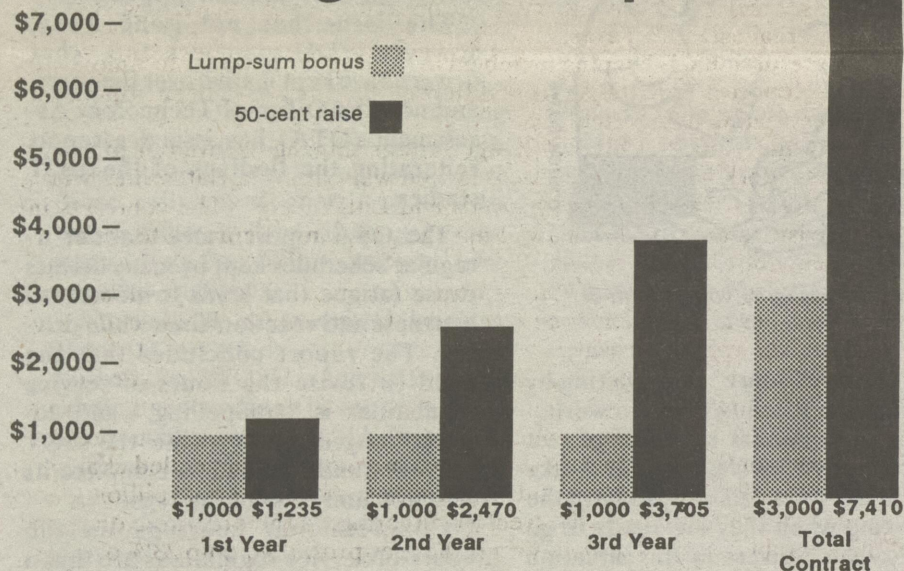
### Oakland Grievance Victory on Dubious Distinction.

Can UPS force you to be Employee of the Month (EOM) against your will? The answer is no. EOM has always been a joke in Oakland. It got so we figured there were incentives for the supervisor who managed to talk a driver in his group into accepting EOM. He'd get a pizza and a feather in his cap. So when Ron Correnti, a new division feeder manager, declared an Oakland driver the EOM against his wishes, a grievance was filed and won at a local hearing.

In the Valley, four Fresno package stewards filed NLRB charges against infamous manager Bob Seymour, who threatened to fire anyone who crossed him—for example, by filing grievances or informing upper management of his incompetence. Bay Area drivers who used to work under Seymour before his transfer empathize with their brothers and sisters in the Valley. Seymour's now building rank-and-file solidarity from Oakland to Merced to Fresno. Thanks, Bob!

—Doak Jones, Local 70 feeder driver, UPS Committee of TDU

## Taking Our Lumps



Comparing three-year contracts: One with a lump-sum bonus of \$1,000 each year; the other with a 50-cent wage increase each year, assuming an average of 45 hours worked per week.

## Happy New Year from Your Board of Directors

UPS shareowners, who include members of the Board of Directors, had a Happy New Year as the Board declared a cash dividend of 90 cents per share payable Dec. 31.

At its Nov. 21 meeting the Board raised to \$53.50 the value of a share of UPS stock and reported that "during the first three quarters of 1988, revenue increased 13.7% over the same period of 1987 and earnings were \$3.16 a share, compared with \$2.96 in the previous year."

UPS has asked the ICC for unrestricted operating authority "that allows for the future implementation of weight, size and price structures necessary to meet the needs of our customers and to remain competitive." It

wants to increase rates on ground service by 4.9% in the United States.

News of a rate hike relieved worries on Wall Street of a price war and sent Federal, Airborne and Emery stock soaring. "The industry went to the brink and it didn't jump off," an analyst at Morgan Stanley told the *Wall Street Journal*.

Now that everybody's happy, UPSers who feel in their bones a 100-pound package imminently bombing down the belt want to know if there will be a contract reopener to balance that heavy load. Yes, in 1990!

Months till UPS contract expires:

18



## Rhode Island

## Local 251 Beats Union-Buster West Coast

Artie Snow  
Local 251, Red Star  
East Providence, R. I.

The biggest little state in the union turned the tide on West Coast Industrial Relations, a union-busting consultant that had been undefeated until it ventured into Rhode Island, where it was hired by the state's beer and liquor distributors.

West Coast had decertified some 151 union shops, including 26 Teamster beer distributors, according to testimony given at a hearing before the New York state Assembly's labor committee in Buffalo. President William McCarthy's tough talk in the *International Teamster* that the "union busters must be stopped in their tracks" and his pledge at the Oct. 28 meeting in Chicago to support local unions in their struggles against West Coast proved empty.

Another promise to set up a meeting within two weeks to formulate a battle plan was never fulfilled. In fact, when Local 251 requested his support, McCarthy's offer of \$5,000 from the International hinged on our local first spending its million-dollar treasury. If Local 251 had waited for this help, it would have been buried by West Coast, which had a \$900,000 budget for its campaign.

James Boyajian, Local 251 business agent and chief negotiator, was deter-

mined that any strike would be on the local union's terms not West Coast's. Negotiations began on May 27 and the two sides met 36 times with no results. West Coast did not propose a pay package until July 7. The previous agreement had expired June 30. These stalling tactics led to numerous charges with the NLRB, including failure to bargain in good faith and surface bargaining.

West Coast has been so successful because it forces unions into economic strikes, which play into its strength. When our agreement expired, West Coast had replacement workers lined up and ready to go and the liquor stores were stocked to the rafters. We did not strike. Timing is everything.

Finally, seeing no light at the end of the tunnel, we went on strike Nov. 3. The beer and liquor distributors do some 40% of their business between November and the end of the year.

## R.I. Labor Solidarity

They were not totally prepared for this strike, as they had been in June and July. It was an old-time strike, using the tactics of the 1950s and 60s as well as some new wrinkles. Informational pickets leafletted the larger liquor stores, thereby inflicting economic hurt on them as well. The Teamsters and AFL-CIO of Rhode Island have always had a good relationship, which

was solidified when we reaffiliated in June. Other unions in the state supported the strike with donations and picket and leafletting duty, contributing to our success.

Boyajian met Dec. 4 with Al Murphy, president of the Liquor Stores Association of Rhode Island. After this meeting, the association met with the wholesale distributors and we believe this was a leading factor in getting the parties back to the table.

We knew we were winning when Alert, West Coast's security dicks, who use high-tech cameras and listening devices to break picket lines, gave up their rented Lincolns for Oldsmobiles. We were making a dent in their war-

chest. Charges were filed with the Rhode Island attorney general because Alert was not licensed in the state.

The parties went back to the table Dec. 9 and met again the following day when an agreement was reached. The workers got raises and kept their health and welfare plan, which is the best in the area. Most importantly, the NLRB ruled the local's action an unfair labor practice strike and all the scabs were laid off. Not one union worker lost a job.

The strike ended Dec. 11 and we had beaten West Coast. We could not have done it without the total support of organized labor in Rhode Island. Thanks.

## New Jersey

## Lea &amp; Perrins Workers Walk and Win

Michael Ruscigno  
TDU Steering Committee  
Local 138 business agent  
Long Island City, N.Y.

The 70 workers at Lea & Perrins Inc., Fair Lawn, N.J., learned their lessons on unionism the old fashioned way: they walked out in the cold rather than take another concessionary contract. In the process they taught the worcestershire giant a lesson on how strong workers at a small plant can be when they stick together.

Lea & Perrins has effectively practiced divide-and-conquer tactics on the workforce over the years. When our slate was elected to office in Local 138 in December 1986, the shop had 20 temporaries. By December 1987, everyone was on the seniority list and in the union. The abuse of temps was stopped. Our next hurdle was to improve conditions in the next contract.

The company aimed to take away sick days, weaken seniority rights and increase mandatory overtime, and institute co-payments on medical coverage. Its offer included a wage schedule of 3.5%-3%-3.5%.

The workers, meeting in the lunch room, agreed with their rank and file negotiating committee and voted Nov. 1 to reject the offer 59-3. It was pouring rain and cold outside—and that's where we all went. We took shelter at a vacant warehouse two factories down where there was a roof over the old loading dock. There we went about getting names and phone numbers and setting up our strike duties.

During the first two weeks of the strike, the company shut down opera-

tions for two weeks thinking it would chill out the workers and end the strike. Instead, a campsite was set up and the line got stronger.

Lea & Perrins President Dennis M. Newnam sent several letters to workers' homes in an attempt to bust their solidarity and the union: medical benefits were cut off; the use of permanent replacement scabs was threatened; and a question-and-answer sheet, complete with a "Resignation from Local 138" form, informed workers of their legal right to resign from the union and cross the picket line. Not one resignation was sent to the union and no one crossed the line. Just three months earlier management had had workers fighting among themselves. They had come a long way, holding that line, walking together for better conditions for all.

As the strike moved into its final week, the Monday before Thanksgiving, the donation of four pickup trucks full of food from the Bergen County Central Trades and Labor Council, AFL-CIO, helped the strikers and their families hold tough. The day before Thanksgiving, the company dropped its key demand for medical co-payments, and seniority and overtime language was left as is.

The contract was ratified 57-3.

It was a proud Thanksgiving for the workers and their families. As their business agent, I thank them for standing together in the struggle that affects us all. Now we must continue to hold our union together and build for the future. I don't think Lea & Perrins is through messing with us yet.

## Grocery Bag

## Kroger Teamsters Continue to Organize.

There seems to be little progress in talks with Kroger over the national language that is inserted into local contracts. Negotiations were to have been completed last September.

Many Kroger locals proposed language changes dealing with issues such as pension contributions, subcontracting, and the ability to follow work when a warehouse is closed. Last month the company offered to raise pension contributions from \$61 per week to \$69 (the level of the National Master Freight Agreement) while keeping all other language the same. Kroger BAs voted not to send this proposal to the membership.

Kroger is continuing the "restructuring" which it undertook in October to avoid a hostile corporate takeover. The company has sold or announced plans to sell certain divisions, most not operating under the Kroger name, and some real estate in Texas.

The International is keeping members in the dark as to what our union will do next. Reportedly, five BAs from different divisions have been appointed to the negotiating committee.

Meanwhile, rank and filers at Kroger are organizing to save our jobs and contracts. Workers at Kroger's frozen-food warehouse in Batesville, Miss., sent a letter to Teamsters in Memphis and Little Rock. (The contracts in those divisions are up for renewal and the company is going after concessions.) The letter reads, in part:

*We want to offer you our whole-hearted support. ... We are familiar with Kroger's tactics and objectives and we know you are too. ... Please call on us if we can help you in any way.*

Other Kroger Teamsters are circulating a petition addressed to President William McCarthy. The petition asks for all local Kroger contracts to be covered by the national language, pension contributions sufficient to provide \$2,000 per month after 30 years at any age, and other much needed changes.

Rank and file Teamsters should not have to pay Kroger's \$3.8 billion debt. That debt is the result of Wall Street profiteering. In the first three quarters of this year, before the "restructuring," Kroger profits were up 23% over the year before. But without an organized membership and the support of the International, we will go on a long downhill slide of lost jobs, wages and benefits.

## Safeway Teamsters Fight for Their Jobs

Hundreds of Safeway Teamsters in Richmond, Calif., are organizing to win their jobs back. Safeway's grocery warehouse there burned down in July, and management refused to say if it would be rebuilt.

The Northern California master contract for Safeway and Lucky was negotiated in October. The six locals involved were willing to strike—the companies were shut down for two weeks—but the strike was settled without demanding that Safeway rebuild the warehouse.

Safeway covered its orders from warehouses as far away as Seattle. Local 315 has historically been one of the more militant locals in the area, and the company seemed ready to abandon the Richmond workers.

But Local 315 Teamsters have built pressure on Safeway to give them back their jobs. In addition to a leafletting program at Safeway stores, two rallies have been held—one at Safeway headquarters in nearby Oakland, and one outside the burned-down warehouse. At the instigation of rank and file members, Jesse Jackson wrote to Safeway urging it to reopen the warehouse. State politicians and religious leaders have been lined up to support the workers' cause.

The issue may be settled on Feb. 1, when Safeway's offer of severance benefits to those who lost their jobs expires.



**'Deliberate attempt to suppress dissent'**

# Jury Awards Teamster \$552,000 In Damages from Local, Officers

"I feel vindicated. I didn't think I had any forum left," Arthur Doty reported after a long jury trial in Boston federal court ended in a total victory for the rebel Teamster. Brother Doty was awarded \$552,000 in compensatory (to repay him for losses) and punitive damages (to deter Teamster officials) for a nine-year ordeal that Boston-area Teamster officials put him through.

Doty, a Vietnam veteran, had been

an outspoken Teamster and steward since the early 1970s when he worked at the First National grocery warehouse until it moved to Hartford, Conn., in 1978. He later took other Teamster jobs, but faced beatings, threats, blacklisting, removal as steward and even denial of union membership. The jury unanimously agreed that the concerted campaign was a "deliberate attempt to suppress dis-

sent." Two individual officials were held liable as well as Local 42. Local 49 earlier agreed to a settlement of \$40,000 and an apology to Doty.

## Labeled 'Troublemaker' by President McCarthy

Although IBT President William McCarthy was not a defendant in the case, former Joint Council 10 Vice President Richard Hunt testified that McCarthy personally mentioned Doty many times during joint council meetings, labeling him a troublemaker.

A 30-year member of Local 42, Rudolph Disilets, testified that when Doty attempted to speak in an articulate and orderly fashion at union meetings, officials attacked him "as piranhas at a feeding frenzy." Unable to silence Doty, Boston-area locals, including McCarthy's Local 25, finally refused to grant him membership, although he worked at a Teamster job.

Doty at one point offered to drop his lawsuit if the officials would simply pay his legal bill and give him a written apology. They refused. Thus they brought the long trial and damage award upon themselves.

TDU attorney Mark Stern, who represented Doty in the seven-week trial, stated, "I hope this acts as a deterrent to Teamster officials doing this to anyone else. Arthur Doty is certainly not the first victim. Maybe this will mean he will be the last."

## Why I Pursued this Fight

Arthur Doty  
Newburyport, Mass.

This is not a victory for me as much as it is for other Teamsters who fight for justice and true unionism. I urge all Teamsters to stand up together.

I thank the many Teamster members who testified or came to the courtroom every day to give me support when I needed it.

TDU has been a great source of strength to me. TDU is leading the way to victories—abolition of the two-thirds rule, education of members, better pensions, and job security. Though struggles like mine are long, they pave the way for brothers and sisters who will follow us. Together Teamster members can rid our union of corrupt officials and make it the great union it can be.



# Reform Movement Grows in Local Union Elections

In the past couple of months, TDU reformers ran for office in a number of local unions, which together have over 100,000 Teamster members. In many of them TDUs and other reformers were elected, as Teamster members begin to realize we must change our locals before we can change the International. We need local officers who have the guts and intelligence to lead, which means at times standing up to the employers and also International officers. Above all it means organizing, educating and involving the rank and file of our locals.

TDU's national organization does not endorse local candidates, but we encourage TDU chapters, members and all Teamsters to be involved in all phases of our union. And we work to protect the election rights of all. Following are reports received from several areas:

Good news in **Colorado**, where **Local 17** secretary-treasurer, Joint Council 3 president and International rep Harry Marshall was easily defeated with a large turnout in the Local 17 election. Congratulations to TDUser Mike Doherty, who won the vice president position on the winning slate in this freight and UPS local. Marshall attempted to remain in control of the joint council, but in early January resigned, and Jack Parker of Local 13 was appointed president of JC 3.

Congratulations to TDUser and West Coast grocery (SuperValu) driver Bob

Profitt, who won the top job of secretary-treasurer in **Salem, Ore., Local 324**.

Congratulations to TDUser Bob Dubian, secretary-treasurer of **Hartford, Conn., Local 559**, who begins his fourth term as the principal officer of that local, and to members of his successful slate.

In **Mansfield, Ohio, Local 40**, a slate of TDU members narrowly lost the top posts when fully one-fourth of all votes cast were disqualified because voters failed to write their names and addresses on the ballot envelopes. Other locals provided a sticker on the return envelope to eliminate the problem. The top position was decided by just six votes, with others equally close. TDUsers Tim Weaver (UPS driver) and Frank Zerman (Signal Delivery driver) won easily for vice president and trustee.

Halloween night brought with it goblins, witches and werewolves. But for the rank and file of **Local 921 in San Francisco**, Halloween night meant voting out some real monsters—officials who cared little for the welfare of the membership and even less for democratic practices.

Five offices were claimed by reform candidates, including long-time TDU member Jack Ford, who has been battling for years. "We've got our hands full but this is a new beginning for the members of this local union," Jack reports.

While the news was good from **Local 921**, it was bad from **San Francisco Local 278**. Gail Sullivan, a TDUser since our founding, challenged incumbent Jack Bookter for secretary-treasurer of the 2,000-member local. In a record turnout, Gail lost by 94 votes. Bookter used vans (some driven by BAs from other locals, who also staffed phone banks) to bus his UPS supporters. "His best organizing effort was to save his own job," Sullivan noted.

Bookter secretly married Yvonne Tougher, an employee in the union office at \$48,000 per year, in addition to Bookter's \$50,000-plus benefits, providing him with ample motivation in the election.

Congratulations to TDUser Dan Nardico, who was elected by acclamation as hiring hall dispatcher in **San Francisco Local 85**. (San Francisco reports from Terry Post of S.F. TDU Chapter.)

**San Jose Local 287**, a large trucking and warehouse local, saw the incumbent executive board upset by a challenging slate. TDUser Bill Brooke was elected business rep, coming in second at the polls, with eight BAs elected.

TDUser and dairy worker George Ragland was elected president of **Spokane, Wash., Local 582**. Ragland reports that part of his motivation, along with improving the local, was his anger as he watched the former president vote for Jackie Presser at the 1986 IBT Convention in Las Vegas. Ragland

has served two terms as a trustee of the local.

Congratulations to TDUser and CF driver Clyde Hunter who was elected a trustee on the executive board of **Seattle Local 741**. And in **Seattle Local 174**, a large warehouse and delivery local, TDUser Bob Hasegawa ran a strong campaign, finishing second, well ahead of a former secretary-treasurer who headed another challenging slate. "We showed members we're a viable force. We'll be back," Hasegawa reports.

For the first time in many years, William McCarthy faced an election in **Boston Local 25**, as TDUser and Star Market warehouseman Dennis Nagle challenged him. McCarthy won, 2,386 to 1,209—but it was a very respectable showing for Brother Nagle against the International General President.

TDUser and Flexsteel driver Bob Donovan was elected president of **Dubuque, Iowa, Local 421**, over incumbent William Delaney. Another TDUser on Brother Donovan's slate, H&W road driver James "Donny" Mays, was elected trustee.

In the 5,000 member **Portland, Ore., Local 162**, TDUsers report they are happy with the outcome of the election. Dennis Wittkopp, UPS driver and TDUser, was elected trustee.

**Southern California Local 63**, one of the largest IBT locals with 13,000 members and the largest freight unit, had a hotly contested election. The in-

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## TDU Meets

**Atlanta**  
Saturday, Feb. 4  
7:30 p.m.  
College Park Fire Department  
Sullivan Road, College Park, Ga.

**Charlotte**  
Saturday, Feb. 18  
Time and place to be announced  
Information: (202) 785-3707

**Cincinnati**  
Wednesday, Feb. 15  
7:30 p.m.  
Days Inn  
Sharonville, Ohio

**Eastern Mass./Rhode Island**  
Saturday, Feb. 4  
10 a.m.  
VFW Hall, Mansfield, Mass.  
Information: (508) 697-9385

**Roanoke**  
Saturday, Jan. 28  
9:30 a.m.  
Holiday Inn Airport  
Exit 2S off 581, Roanoke, Va.

**Sacramento**  
Saturday, Feb. 25  
Time and place to be announced  
Information: (916) 739-0815

**St. Louis**  
Sunday, Feb. 19  
Noon  
Amvets Post 88  
8449 North Broadway, St. Louis

**San Francisco**  
Saturday, Feb. 11  
10 a.m. — Noon  
Potrero Hill Neighborhood House  
953 DeHaro St. at Southern Hts. Ave.  
San Francisco

**Westchester County/Bronx**  
Sunday, Feb. 5  
Noon  
Topic: Arbitration Procedure  
Nat's Place  
257 Saw Mill River Road (Route 9A)  
Elmsford, N.Y.



## Central States Pension Fund

# 'Re-employment Rule' Victimizes Retirees

The Central States Pension Fund is victimizing Teamsters across the Midwest and South with its "re-employment rule." Under this rule Central States suspends the pension benefits of any retiree who works at "prohibited re-employment." Among the many definitions of prohibited re-employment is work done "for an employer whose business activities are similar to those of any employer making contributions to this Pension Fund."

The Central States Fund has participants from over 20 states and thousands of different employers, so the re-employment rule essentially bars you from supplementing your pension income. The exceptions that the fund allows are a few minimum-wage jobs. Under certain conditions, you can work as a night watchman, janitor, gas station attendant or school bus driver and still collect a pension.

Suppose you retired from your Teamster job at age 57, with 15 years of service. In the Central States plan, you

might qualify for a vested benefit of \$225 per month (or less). Central States will expect you to survive on this benefit. If you work so much as 10 hours per week to supplement it, your pension will be suspended.

International trustee R. V. Durham recently told the members of North Carolina Local 391 that the re-employment rule is fair because it prevents "double dipping." Durham apparently doesn't think that this applies to officials such as himself who are covered by four different pension plans. The Retirement and Family Protection Plan—the "Rolls Royce" plan exclusively for employees of the International—allows participants to take a job in management and still collect a pension!

TDUers are investigating the possibility of legal action against Central States' re-employment rule. If you have been victimized by this rule, or if you want more information, contact the TDU office.

## Petition to Trustees of Western Conference Pension Plan

We, the undersigned members of the Western Conference of Teamsters, do hereby petition the trustees of the Western Conference of Teamsters Pension Plan to implement the following improvements in the pension plan:

1. Provide a reasonable Cost of Living clause for all present and future retirees.
2. Provide retirement benefits of \$2,000 per month *at any age* for pension participants who have a contribution rate of \$1.75 per hour or more and have 30 years of service. Provide proportional improvements for those pension participants who have less than a \$1.75 per hour contribution rate.
3. Direct the negotiators for members who have contribution rates of less than \$1.75 per hour to negotiate improvements in the pension contribution rates for these members.
4. In the event of the death of a retiree, continue to pay a surviving spouse the same benefits.
5. If the trustees determine that Items 1 through 4 of this petition are not possible under the present contribution rate, we further petition the trustees to forward a copy of this petition to all Western Conference negotiating committees and direct those committees to negotiate pension contributions that will allow the trustees to implement Items 1 through 4.
6. Furthermore, we petition the trustees to meet with a committee of five of the petitioners to discuss these matters.

To obtain copies of this petition, contact TDU Pension Project, P.O. Box 7445, LaVerne, Calif. 91750 (714) 593-9791. Donations and inquiries may be forwarded also. Your support is appreciated.

## Ryder Lease Agreement

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situation to Tusino, as it has regularly to its employees. For example, in a letter dated Nov. 22, 1988, Ryder referred to "the new ICC approved equipment lease." The company has since admitted this lease is not approved by the ICC.

To his credit Tusino spent considerable time talking with these owner-operators. This is a complicated battle, which was brewing long before Tusino became national chairman. Ryder has woven a very tangled web of deceit. The way to resolve this is not to have one man or even one committee that knows everything, but to use the union resources so that elected representatives of the members can meet, communicate among themselves and with their leaders, and then hammer out a solution.

Tusino has said any problems will be resolved through the grievance procedure. Delivering on this will mean a

drastic transformation of the way the grievance committees function. It is too much to ask the Chicago CCI drivers to depend on that. No group has filed more good grievances only to see them disappear down the drain of the Wisconsin-Illinois Local Grievance Panel.

For two years Ryder has expended tremendous resources trying to break the 19-driver terminal in West Chicago. To their great credit, those owner-operators have stood up with dignity as the best kind of union members even when their Local 710 was letting them down. It may be that some Ryder managers have become locked in a power struggle to defend old, improper deals against some hard-working, stubborn drivers who won't give up their rights. In that case Ryder should sit down for serious, good-faith negotiations to end the deadlock in Chicago. If not, the biggest casualty will be Ryder's credibility.



## Ligurotis Named Trustee of Central States Funds

International Vice President Daniel Ligurotis of Chicago has been made a trustee of the Central States Pension Fund, and the Central States Health & Welfare Fund. He replaces Loran Robbins.

Rank-and-file participants in the plan did not have a chance to vote for Robbins' replacement. If Ligurotis had had to campaign for the job, he would have had some explaining to do.

One of Ligurotis' four Teamster salaries comes from his position as head of the 10,000-member Chicago Local 705. Local 705 has its own pension and health & welfare funds, and does not participate in Central States even though it is located in the same city as Central States headquarters.

Three months ago, the trustees of the Local 705 benefit funds agreed to pay back \$120,000 to the funds. This money had been paid to Ligurotis in violation of federal law, which prohibits fiduciaries of a benefit plan from collecting a salary if they also get a full-time salary from the union that sponsors the plan.

During the period Ligurotis was accepting \$120,000 from the benefit

funds, he was also paid over \$200,000 in salary and expenses by Local 705, and over \$100,000 from two other salaries at the International and Joint Council 25.

A U.S. district court Oct. 18 ordered the trustees of the two Local 705 funds to repay \$80,000 to the pension fund and \$40,000 to the health & welfare fund.

The court also ordered that from now on the trustees will have to obtain an independent legal opinion for how much they plan to spend on the Local 705 Pension Fund's annual retirees' luncheon. The order was given because from 1984 to '87 the trustees overspent for, in the Department of Labor's words, "the costs of liquor, flowers, gifts, music, food, and invited guests not affiliated with the plan."

Ligurotis has recently had a problem in his home local. Local 705 trustee William Floyd has just been convicted and sentenced to six years for defrauding the union. Floyd arranged to have a union car stolen, then filed a phony insurance claim.

Rest easy tonight, your pension fund is in good hands.

## Local Union Election Reports

*continued from preceding page*

cumbents won, but the challenge itself was very significant.

Three years ago a group of challengers were attacked and beaten as they approached the nominations meeting, and the local suffered a judgment and fees of some \$750,000 as a result of the attack by the goon squad. This time a determined group, headed by TDU member Bob Kirkpatrick, organized an effective campaign.

The incumbents used a walk-in vote in the sprawling local and made absentee ballots virtually impossible to obtain (exactly zero were cast). Then they used anonymous slander sheets and scare tactics. As a result less than 25% of the local voted. TDUer Scott Askey reports that the rank and file slate will continue to play an active role in the union, and is following through with protests of election irregularities.

In New Jersey Local 560, a court-supervised election was won by associates of past president "Mikey" Sciarra, who had been barred by court order from running for office in the crime-ridden local. The local had been under court monitorship for nearly three years after it was found to be racketeer-controlled.

An opposition slate, the United Ticket, gathered one-third of the vote and vows to continue. The court appointed trustee, Ed Stier, says the contested election and membership activity mean change has come to the union. But some observers note that the appointment of a trustee tended to make heroes of those whom the government was opposing. It is now time for the rank and file of Local 560 to come forward as the rightful owners of the union.



# Ryder Admits Theft, But Says Drivers Should Pay

The year-long struggle by CCI owner-operators against signing a new, vague and substandard lease became even more serious Dec. 31 when management unilaterally canceled the drivers' old leases, despite their offer to negotiate any changes required by Interstate Commerce Commission regulations.

In December drivers obtained a copy of a secret settlement signed in 1987 by CCI President Frederick Reinhardt and the Interstate Commerce Commission in which the company "admits that its leases are ... contrary to the Commission's leasing regulations ... and agrees to refrain from engaging in such acts. ..." The federal government agreed "to refrain from referring to the Department of Justice any recommendation seeking civil or

criminal penalties arising from the activities. ..."

Ryder has used the settlement to try to force through a new lease, supposedly bringing it into compliance with ICC regulations. In fact, the new lease goes way beyond them, takes away many protections for the owner-operators and conflicts with the union contract. (A copy of the proposed lease and the settlement agreement may be obtained by writing to: Chicagoland Carhauleders, P.O. Box 428, Winfield, Ill. 60190.)

Ryder openly describes the lease as a "new divisional lease," meaning it will eventually cover owner-operators at Ryder's M&G, Boutel, Fleet, GOAT, Port Terminal and Convoy divisions. It is being introduced in the Central Southern area where Ryder

managers boast of their control over the grievance panels.

Following the cancellation of the old leases, drivers in Chicago reported for work Jan. 3, but without their trucks because Ryder's insurance covers only outfits under lease. Even though other equipment was available, Terminal Manager Joe White would not put the drivers to work.

Management has threatened, promised and cajoled, but has refused to commit verbal promises to paper. CCI circulated a letter it claimed was a recommendation by union grievance chairman Ernie Tusino that the drivers sign the lease. The letter, addressed not to members but to Ryder Senior Vice President Ralph Thompson, said, "In accordance with our telephone agreement, in which you indicated to me that the new lease would in no way conflict with the collective bargaining

agreement, I am informing our members to sign said lease." Based on this information and under similar threats, Memphis CCI owner-operators had signed the new lease under protest in late December.

But since the Chicago drivers had repeatedly cited a dozen conflicts between the lease and the union contract, they asked to be given a similar assurance by Thompson in writing. Despite verbal assurance, Ryder has refused to state the contract will supersede the lease if there is a conflict. The Chicago drivers had been sending materials on the new lease to the International for months. It was only at the very last moment that the International became involved; and unfortunately, that was with CCI's use of the letter from Tusino to Ryder's Thompson.

Ryder was misrepresenting the  
*continued on page 11*

## Raise Dixie Rider Up to Standard

Local 327 Dixie drivers in Nashville are struggling to stay afloat with reduced traffic and pay under a substandard rider agreed to by the union after the strike by Smyrna owner-operators. Owner-operators are making much less after expenses than company drivers. The Dixie negotiations last summer and fall were a hot potato, which our higher union officials tossed around, with none ever taking clear responsibility or giving the drivers the backing they deserved. Jerry Cook, the Southern Conference carhaul chairman, played an especially bad role.

Dixie is also operating non-union under a Col-Trans label with leased company drivers making about 25 cents per mile. Dixie is now claiming it does not have to pay the owner-operators' highway use tax as provided in the master agreement. So far the union says Dixie must pay.

We can expect efforts to use the Dixie/Col-Trans situation as an excuse

for cuts at other companies. The Dixie rider must be brought up to standard. A first step would be for each Dixie terminal to elect representatives and for the union's national carhaul leadership to consult with this group in a coordinated program to defend and improve conditions. This step was proposed by the Carhauleders Coordinating Committee co-chairs to the union before this rider was signed. It would be better late than never.

George Beam, steward at NuCar in Smyrna, wrote to President William McCarthy in October, "The white paper contract appears to affect a small company and its drivers. In reality, it affects every carhauler and carhaul company in the country, and undercuts the basic premise of the national automobile transporters contract. ... The drivers at my barn are ready and willing to follow your leadership in the spirit of unionsim and do whatever is necessary to protect our brothers at Col-Trans/Dixie."

## Carhaul News

### Motor Convoy Tries to Force A-B-C Dispatch in Norfolk.

Motor Convoy is trying to force members in Norfolk, Va., Local 822 into A-B-C dispatches in violation of the contract. Under a backhaul arrangement with Atlanta, Norfolk drivers are supposed to get loads nearest to their home terminal. Instead, they are being sent into the Carolinas and the company is trying to force them to pick a third load out of Winston-Salem, which is not part of the Atlanta backhaul agreement. If drivers return to the Richmond area, the company is attempting to force them into the new railhead in Richmond, which is receiving Hondas out of Marysville, Ohio. We have not heard yet what action the union is taking to ensure that drivers are domiciled in Richmond and that the rail unloading crew is unionized.

### Mechanics Contract Gain Undercut.

The National Grievance Panel will have a chance to make sure mechanics get what they were promised in the contract. All mechanics were told they'd get a tool allowance to be negotiated locally, with any disputes to be taken to the national committee. This was described as an improvement in the second offer. But now CCI in Jacksonville Local 512 is insisting that if mechanics want a tool allowance they will have to give up something they now have, like the three-day notice of layoff. If management and the national committee want to go ahead with this ripoff, they should not expect to sell any promises during the next negotiations.

### News from Around the Ryder Monolith.

As usual, management-inspired chaos reigns at Ryder's new Georgetown, Ky., terminal, which is now up to 10 drivers. When just two drivers had signed on, Terminal Manager Joe Sandy tried to get an agreement that all loads would be half rate, etc., etc. After some initial confusion, Lexington Local 651 has been backing up the drivers' demands. At a grievance hearing on staffing, Louisville Local 89 business agent Charlie Spond argued for an initial board of 20 drivers, backing his case with many figures. For now there are both CCI and Convoy terminals in Georgetown. Although Ryder is merging the two subsidiaries in the West (and there is similar talk elsewhere), it is trying to get some final advantage out of confusion in Georgetown. One CCI driver was recently spotted driving a truck with JATCO labels and hauling Convoy traffic. Management will work hard to play drivers coming from different terminals against each other. They will foment dissension over seniority. Whatever the claims of drivers, seniority disputes cannot be allowed to get in the way of presenting a united front on other questions.

The shock of incorporation into the Ryder system in December led to a brief but hopefully effective strike by former Convoy and TS&D drivers in Seattle Local 741. At issue was Ryder Systems' underpayment of new hires and the new Ryder pay stub, which makes it much more difficult to detect pay shortages. The strike was over in less than a day. Drivers have reportedly been assured the new hires' pay will be corrected and the pay stubs will revert to the system used by TS&D.

It took a vigorous protest by CCI drivers in Billings Local 190 to stop a company assertion that it could pay for loading on a flat-rate basis, even though it had been dropped from the Western Conference offer last summer. Finally, the company agreed that any flat-rate pay would be backed up by an hourly guarantee. Meanwhile, in Nashville Local 327 a strike sanction was requested, but is on hold while the local tries to make the company live up to a grievance panel decision on how loads from Smyrna are paid.

## JOIN TDU

"There are a few rotten apples in every barrel." That's what many Teamster officials and PR men will tell you about bad apples like International VP Harold Friedman (see page 3). But why is it in our union that there is no mechanism for sorting the apples and clearing out the rotten ones? What is it about our union's structure that causes the rotten apples to rise to the top?

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